STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PAUL R. LEPAGE
GOVERNOR

PATRICIA W. AHO
COMMISSIONER

February 16, 2015

Mr. Jason Littlefield
185 International Drive
Portsmouth, NH 03801
littlefield@spragueenergy.com

RE: Maine Pollutant Discharge Elimination System (MEPDES) Permit #ME002208
Maine Waste Discharge License (WDL) Application #W002564-5S-G-R
Proposed Draft Permit

Dear Mr. Littlefield:

Enclosed is a **proposed draft** MEPDES permit and Maine WDL (permit hereinafter) which the Department proposes to issue as a final document after opportunity for your review and comment. By transmittal of this letter you are provided with an opportunity to comment on the proposed draft permit and its conditions (special conditions specific to this permit are enclosed; standard conditions applicable to all permits are available upon request). If it contains errors or does not accurately reflect present or proposed conditions, please respond to this Department so that changes can be considered.

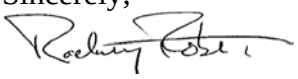
By copy of this letter, the Department is requesting comments on the proposed draft permit from various state and federal agencies, as required by our new regulations, and from any other parties who have notified the Department of their interest in this matter.

All comments must be received in the Department of Environmental Protection office on or before the close of business **Wednesday, March 19, 2015.** Failure to submit comments in a timely fashion will result in the final document being issued as drafted. Comments in writing should be submitted to my attention at the following address:

Maine Department of Environmental Protection
Bureau of Land & Water Quality
Division of Water Quality Management
17 State House Station
Augusta, ME 04333

If you have any questions regarding the matter, please feel free to call me at 207-446-1875.

Sincerely,



Rodney Robert
Division of Water Quality Management
Bureau of Land and Water Quality

Enc.

cc: Tanya Hovell, DEP/EMRO
Barry Mower, DEP/CMRO
Lori Mitchell, DEP/CMRO
Oliver Cox, DMR
Environmental Review, DMR
Environmental Review, DIFW
Kathleen Leyden, DACF
David Webster, USEPA
David Pincumbe, USEPA
Alex Rosenburg, USEPA
Olga Vergara, USEPA
Ivy Frignoca, CLF

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
17 STATE HOUSE STATION AUGUSTA, MAINE 04333-0017

DEPARTMENT ORDER

IN THE MATTER OF

SPRAGUE OPERATING RESOURCES LLC.	)	MAINE POLLUTANT DISCHARGE
SEARSPORT, WALDO COUNTY, MAINE	)	ELIMINATION SYSTEM PERMIT
BULK FUEL STORAGE FACILITY	)	AND
#ME0002208	)	WASTE DISCHARGE LICENSE
#W002564-5S-G-R **APPROVAL**	)	**RENEWAL**

In compliance with the applicable provisions of *Pollution Control*, 38 M.R.S.A. §§ 411 – 424-B, *Water Classification Program*, 38 M.R.S.A. §§ 464 – 470 and *Federal Water Pollution Control Act*, Title 33 U.S.C. § 1251, and applicable rules of the Department of Environmental Protection (Department) has considered the application of SPRAGUE OPERATING RESOURCES LLC. (permittee/Sprague) with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

APPLICATION SUMMARY

On April 29, 2014, the Department accepted as complete for processing, a renewal application from the permittee for Waste Discharge License (WDL) #W002564-5S-E-R, Maine Pollutant Discharge Elimination System (MEPDES) Permit #ME0002208 which was issued on September 14, 2009 for a five-year term. The September 14, 2009 permit authorized the permittee to discharge treated storm water runoff up to a rate of 350 gallons per minute(gpm) Outfall #001 and 1,500 gpm (Outfall #003) and up to a daily maximum of 6.1 million gallons of hydrostatic test waters via Outfall #002 and up to 5.0 million gallons of hydrostatic test waters via Outfall #004 and storm water runoff from Outfalls #005 - #008 from a bulk fuel storage and transfer facility to the tidewaters of Searsport, Class SB and SC, Maine. See **Attachment A** of the Fact Sheet for a location map of the facility.

PERMIT SUMMARY

This permitting action is carrying forward all the terms and conditions of the previous permitting action, to include amendments made in the 11/12/2013 minor revision.

CONCLUSIONS

BASED on the findings summarized in the attached PROPOSED DRAFT Fact Sheet dated February 16, 2015 and subject to the special conditions that follow, the Department makes the following CONCLUSIONS:

1. The discharge, either by itself or in combination with other discharges, will not lower the quality of any classified body of water below such classification.

2. The discharge, either by itself or in combination with other discharges, will not lower the quality of any unclassified body of water below the classification which the Department expects to adopt in accordance with state law.

3. The provisions of the State's antidegradation policy, 38 M.R.S.A. § 464(4)(F), will be met, in that:

   (a) Existing in-stream water uses and the level of water quality necessary to protect and maintain those existing uses will be maintained and protected;

   (b) Where high quality waters of the State constitute an outstanding national resource, that water quality will be maintained and protected;

   (c) Where the standards of classification of the receiving water body are not met, the discharge will not cause or contribute to the failure of the water body to meet the standards of classification;

   (d) Where the actual quality of any classified receiving water body exceeds the minimum standards of the next highest classification, that higher water quality will be maintained and protected; and

   (e) Where a discharge will result in lowering the existing quality of any water body, the Department has made the finding, following opportunity for public participation, that this action is necessary to achieve important economic or social benefits to the State.

4. The discharge will be subject to effluent limitations that require application of best practicable treatment as defined in *Conditions of licenses*, 38 M.R.S.A. § 414-A(1)(D).

ACTION

Based on the findings and conclusions as stated above, the Department APPROVES the above noted application of SPRAGUE OPERATING RESOURCES LLC. to discharge treated storm water runoff up to a rate of 350 gallons per minute(gpm) Outfall #001 and 1,500 gpm (Outfall #003) and up to a daily maximum of 6.1 million gallons of hydrostatic test waters via Outfall #002 and up to 5.0 million gallons of hydrostatic test waters via Outfall #004 and storm water runoff from Outfalls #005 - #008 from a bulk fuel storage and transfer facility to the tidewaters of Searsport, Class SB and SC, Maine, SUBJECT TO THE ATTACHED CONDITIONS, and all applicable standards and regulations including:

1. "*Maine Pollutant Discharge Elimination System Permit Standard Conditions Applicable To All Permits*," revised July 1, 2002, copy attached.

2. The attached Special Conditions, including any effluent limitations and monitoring requirements.

3. This permit and the authorization to discharge become effective upon the date of signature below and expire at midnight five (5) years from the effective date. If a renewal application is timely submitted and accepted as complete for processing prior to the expiration of this permit, the authorization to discharge and the terms and conditions of this permit and all modifications and minor revisions thereto remain in effect until a final Department decision on the renewal application becomes effective. [*Maine Administrative Procedure Act*, 5 M.R.S.A. § 10002 and *Rules Concerning the Processing of Applications and Other Administrative Matters*, 06-096 CMR 2(21)(A) (amended August 25, 2013)]

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

DONE AND DATED AT AUGUSTA, MAINE, THIS ____DAY OF _____, 2015.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:_____
PATRICIA W. AHO, Commissioner

Date filed with Board of Environmental Protection:_____

Date of initial receipt of application April 22, 2014 .
Date of application acceptance April 29, 2014 .

This Order prepared by Rod Robert, Bureau of Land and Water Quality

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The permittee is authorized to discharge treated storm water runoff and boiler blowdown to the tidewaters of Searsport. Such treated waste water discharges shall be limited and monitored by the permittee as specified below.

OUTFALL #001 - Storm water runoff and boiler blowdown

Effluent Characteristic	Discharge Limitations		Minimum Monitoring Requirements	
	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
Flow[(2)] *[50050]*	---	350 gpm *[78]*	1/ Quarter *[01/90]*	Measure *[MS]*
Total Suspended Solids *[00530]*	50 mg/L[(3)] *[19]*	100 mg/L *[19]*	1/ Quarter *[01/90]*	Grab[(4)] *[GR]*
Oil & Grease *[00552]*	---	15 mg/L *[19]*	1/Quarter *[01/90]*	Grab[(4)] *[GR]*
pH[(6)] *[50060]* *April - November*	---	6.0 – 9.0 SU[(6)]	1/Discharge *[01/DS]*	Grab[(4)] *[GR]*

The italicized numeric values bracketed in the table and in subsequent text are code numbers that Department personnel utilize to code the monthly Discharge Monitoring Reports.

FOOTNOTES: See Pages 9 through 11 of this permit for applicable footnotes.

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS(cont'd)

2. Outfall #002 – Hydrostatic test wastewater[(1)]

Effluent Characteristic	Discharge Limitations		Minimum Monitoring Requirements	
	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
Flow[(2)] *[00164]*	---	6.1 EE6 gal[(7)] *[57]*	1/Discharge *[01/DS]*	Measure *[MS]*
Total Suspended Solids *[00530]*	---	50 mg/L *[19]*	1/Discharge *[01/DS]*	Grab[(4)] *[GR]*
Oil & Grease *[00552]*	---	15 mg/L *[19]*	1/Discharge *[01/DS]*	Grab[(4)] *[GR]*
Total Residual Chlorine[(5)]	---	0.013 mg/L *[28]*	1/Discharge *[01/DS]*	Grab[(4)] *[GR]*
pH[(6)] *[50060]* *April - November*	---	6.0 – 9.0 SU[(6)]	1/Discharge *[01/DS]*	Grab[(4)] *[GR]*

The italicized numeric values bracketed in the table and in subsequent text are code numbers that Department personnel utilize to code the monthly Discharge Monitoring Reports.

FOOTNOTES: **See Pages 9 through 11 of this permit for applicable footnotes.**

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS cont'd

3. Outfall #003 – Storm water runoff from the former DFSC facility

Effluent Characteristic	Discharge Limitations		Minimum Monitoring Requirements	
	Monthly Average	**Daily Maximum**	**Measurement Frequency**	**Sample Type**
Flow[(2)] *[50050]*	---	1,500 gpm[(1)] *[78]*	1/Discharge [01/DS]	Measure *[MS]*
Total Suspended Solids *[00530]*	50 mg/L[(3)] *[19]*	100 mg/L *[19]*	1/Quarter *[01/90]*	Grab[(4)] *[GR]*
Oil & Grease *[00552]*	---	15 mg/L *[19]*	1/Quarter *[01/90]*	Grab[(4)] *[GR]*
pH *[00400]* *(April-November)*	---	6.0-9.0 SU[(6)] *[19]*	1/Discharge[(6)] *[01/30]*	Grab[(4)] *[GR]*

The italicized numeric values bracketed in the table and in subsequent text are code numbers that Department personnel utilize to code the monthly Discharge Monitoring Reports.

FOOTNOTES: **See Pages 9 through 11 of this permit for applicable footnotes.**

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

4. Outfall #004 – Hydrostatic test waters from the former DFSC facility:

Effluent Characteristic	Discharge Limitations		Minimum Monitoring Requirements	
	Monthly Average	**Daily Maximum**	**Measurement Frequency**	**Sample Type**
Flow[(2)] *[50050]*	---	5.1EE6 gal[(7)] *[57]*	1/Discharge *[01/DS]*	Measure *[MS]*
Total Suspended Solids *[00530]*		50 mg/L *[19]*	1/Discharge *[01/DS]*	Grab[(4)] *[GR]*
Oil & Grease *[00552]*	---	15 mg/L *[19]*	1/Discharge *[01/DS]*	Grab[(4)] *[GR]*
Total Residual Chlorine[(5)] [50060]		0.013 mg/L	1/Discharge *[01/DS]*	Grab[(4)] *[GR]*
pH *[00400]* *April - November*	---	6.0-9.0 SU[(6)] *[19]*	1/Discharge[(6)] *[01/DS]*	Grab[(4)] *[GR]*

The italicized numeric values bracketed in the table and in subsequent text are code numbers that Department personnel utilize to code the monthly Discharge Monitoring Reports.

FOOTNOTES: See Pages 9 through 11 of this permit for applicable footnotes.

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

5. Outfall #008 – Stormwater runoff - Recycled Steel Storage Location

Effluent Characteristic	Discharge Limitations		Minimum Monitoring Requirements	
	Monthly Average	**Daily Maximum**	**Measurement Frequency**	**Sample Type**
Flow[(2)] *[50050]*	---	Report gpm [78]	3/Year[(8)] *[01/DS]*	Estimate *[ES]*
Total Suspended Solids *[00530]*	50 mg/L[(3)] *[19]*	100 mg/L [19]	3/Year *[01/DS]*	Grab[(4)] *[GR]*
pH *[00400]*	---	6.0-9.0 SU[(6)] *[19]*	1/Month[(6)] *[01/30]*	Grab *[GR]*

The italicized numeric values bracketed in the table and in subsequent text are code numbers that Department personnel utilize to code the monthly Discharge Monitoring Reports.

FOOTNOTES: See Pages 9 through 11 of this permit for applicable footnotes.

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

FOOTNOTES

Sampling Locations: Discharges from Outfall #001 and #003 must be sampled independently, prior to co-mingling with any other waste stream(s).

1. **Sampling -** All effluent monitoring must be conducted at the sampling locations listed above. Any change in sampling location must be approved by the Department in writing. The permittee must conduct sampling and analysis in accordance with; a) methods approved by 40 Code of Federal Regulations (CFR) Part 136, b) alternative methods approved by the Department in accordance with the procedures in 40 CFR Part 136, or c) as otherwise specified by the Department. Samples that are sent out for analysis must be analyzed by a laboratory certified by the State of Maine's Department of Health and Human Services for wastewater. Samples that are sent to a POTW licensed pursuant to *Waste discharge licenses*, 38 M.R.S.A. § 413 are subject to the provisions and restrictions of *Maine Comprehensive and Limited Environmental Laboratory Certification Rules*, 10-144 CMR 263 (effective April 1, 2010). If the permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 or as specified in this permit, the results of this monitoring must be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report.

2. **Flow** – The flow through the oil/water separators must consist of stormwater runoff and boiler blowdown only except as specified for hydrostatic test waters discharged through Outfall #002. The direct or indirect discharge of liquids from petroleum product pipelines, transport tanks, vessels or storage tanks through the oil/water separator is not authorized by this permit except as specified for Outfalls #001 and #002. No chemical treatment such as dispersants, emulsifiers or surfactants may be added to the oil/water separator or any wastewater discharge stream contributing flow to the separator.

   At no time must the flow through the oil/water separator exceed the design flow of 350 gpm for the separator for Outfall #001 or 1500 gpm for the separator for Outfall #003.

   Flow measurement devices or calculated flow estimates via pump curves or tank volumes or other methods must be approved by the Department. Measurement of flow may be suspended upon approval from the Department in the event the permittee limits flow to the separator by installing a permanent constriction to prevent flows from exceeding the design capacity of the separator. The installation, replacement or modification of any flow measurement or constriction device requires prior approval by the Department.

   It is noted that the separator for Outfall #003 has a flow restrictor currently in place to restrict flow to the design capacity of 1,500 gpm. Therefore, regular flow measurement requirements are not being established in this permit but an annual verification of the effectiveness of the restrictor is being required.

SPECIAL CONDITIONS

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

FOOTNOTES

3. **Total Suspended Solids (TSS)** – The monthly average concentration of 50mg/L for TSS is based on an average over the previous twelve-month period. For the purposes of this permitting action, the twelve-month rolling average calculation is based on the test results for the most recent twelve-month period. Only months where a discharge occurs are to be counted in the calculations. Months when there is no discharge, zeroes should not be entered and those months are not to be included in the calculations for the rolling twelve-month average.

4. **Grab Sample** - Stormwater runoff from one significant storm event per calendar quarter must be sampled for TSS and oil & grease for Outfall #001 and TSS and oil and grease for Outfall #003. A significant storm event is defined as any event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable storm event. Suitable size and type of samples must be collected in accordance with 40 CFR Part 136. Grab samples will be collected within the first hour (first flush) after the diked area(s) drainage area and/or pumpout has started. Separate aliquot samples must be taken for the analysis for each parameter.

5. **Total residual chlorine (TRC)** – For the purposes of this permit, compliance with the daily maximum limitation in this permit will be based on USEPA's current minimum level (ML) of detection of 0.05 mg/L (50 ug/L). The permittee shall utilize approved test methods that are capable of producing analytical results down to or below 0.05mg/L (50 ug/L). All analytical test results shall be reported to the Department including results which are detected below the ML. Results reported at or below the RL will be considered to be in compliance with the permit. The Discharge Monitoring Reports will be coded with the RL of 0.05mg/L (50 ug/L) such that detectable results reported at or below 0.05mg/L (50 ug/L) but greater than the daily maximum water quality based limit established in this permit will not be recorded as violations of the permit.

6. **pH**: Limitations and monitoring requirements are only applicable April – November (inclusive) of each year.

7. **Nomenclature –** EE6 means million gallons

8. **3/Year** – One sampling event in the 2nd, 3rd and 4th quarters of each year

SPECIAL CONDITIONS

B. NARRATIVE EFFLUENT LIMITATIONS

1. The permittee must not discharge effluent that contains a visible oil sheen, foam or floating solids at any time which would impair the uses designated for the classification of the receiving waters.

2. The permittee must not discharge effluent that contains materials in concentrations or combinations which are hazardous or toxic to aquatic life, or which would impair the uses designated for the classification of the receiving waters.

3. The permittee must not discharge wastewater that causes visible discoloration or turbidity in the receiving waters that causes those waters to be unsuitable for the designated uses and characteristics ascribed to their class.

4. The permittee must not discharge effluent that lowers the quality of any classified body of water below such classification, or lowers the existing quality of any body of water if the existing quality is higher than the classification.

C. OIL/WATER SEPARATOR MAINTENANCE

The permittee must maintain an up-to-date operation and maintenance plan for the oil/water separator. The plan must include, but not be limited to, measures to ensure the separator performs within the designed performance standards of the system, is maintained on a routine basis to maximize the design capacity and efficiency of the system, and that adequate staffing and training of personnel is provided to ensure compliance with discharge limitations. The operation and maintenance plan must remain on site at all times and be made available to Department and USEPA personnel upon request.

For the purposes of minimizing suspended solids in the stormwater directed to the oil/water separator, the permittee must implement best management practices (BMPs) for erosion and sedimentation control. The permittee must periodically inspect, maintain and repair erosion and sedimentation control structures as necessary.

D. HYDROSTATIC TEST WASTEWATER

Tanks and pipes being hydrostatically tested must be clean of product and all construction debris, including sandblasting grit, prior to testing and discharge through Outfall #002 and Outfall #004. The discharge must be dechlorinated if test results indicate that discharged waters will violate permit limits. **The permittee must notify the Department of an intended discharge of hydrostatic test wastewater at least three business days prior to the discharge**.

SPECIAL CONDITIONS

E. STORMWATER ASSOCIATED WITH INDUSTRIAL ACTIVITY – PLANS AND MONITORING REQUIREMENTS

1. Stormwater Pollution Prevention Plan (SWPPP)

   a. With respect to the facility contributing stormwater flow subject to this permit, the permittee must develop, implement, maintain and annually update a Stormwater Pollution Prevention Plan (SWPPP) for the facility that is consistent with the SWPPP requirements established in Part V of the Department's *Multi-Sector General Permit for Stormwater Discharge Associated with Industrial Activity*, dated April 26, 2011, and Sector specific requirements included in Sector P of the Multi-Sector General Permit (MSGP). The permittee must maintain a copy of the SWPPP and associated records on-site for Department or USEPA staff inspection. The Standard Operating Procedure (SOP) Guidelines For Visual Monitoring of Stormwater Discharges Associated with Industrial Activities is included as **Attachment A** of this permit.

   b. **Within 60 days of any change** in design, construction, operation, maintenance, or any chemical spill at the facility which has or may have a significant effect on the amount of pollutants present in stormwater, the permittee must amend the SWPPP and note all changes.

2. Monitoring Requirements: **At a minimum frequency of once per calendar quarter**, the permittee shall perform and document a visual examination of a storm water discharge at the end of the storm water conduit for each outfall (Outfalls #002, #003, #004, #005, #007 and #008) in accordance with Department guidance #DEPLW0768, Standard Operating Procedure Guidelines for Visual Monitoring of Stormwater Associated with Industrial Activities, including associated Attachments A (Instructions for Completing the Visual Monitoring Form) and B (Visual Monitoring Form) (all included as Attachment A of this permit).The permittee shall document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution. The permittee must maintain the visual examination reports on-site with the SWPPP for a minimum of three years from the observation date.

SPECIAL CONDITIONS

F. AUTHORIZED DISCHARGES

The permittee is authorized to discharge only in accordance with: 1) the permittee's General Application for Waste Discharge Permit, accepted for processing on April 29, 2014; 2) the terms and conditions of this permit; and 3) only from Outfalls identified in this permit. Discharges of wastewater from any other point source(s) are not authorized under this permit, and must be reported in accordance with Standard Condition B(5), *Bypasses*, of this permit.

G. MONITORING AND REPORTING

Monitoring results obtained during a quarter must be summarized for each quarter and reported on separate Discharge Monitoring Report (DMR) forms provided by the Department and **postmarked on or before the thirteenth (13th) day of the month or hand-delivered to the Department's Regional Office such that the DMRs are received by the Department on or before the fifteenth (15th) day of the month** following the completed reporting period. A signed copy of the DMR and all other reports required herein must be submitted to the Department assigned inspector (unless otherwise specified by the Department) at the following address:

Department of Environmental Protection
Eastern Maine Regional Office
Bureau of Land and Water Quality
Division of Water Quality Management
106 Hogan Road
Bangor, ME 04401

Alternatively, if the permittee submits an electronic DMR (eDMR), the completed eDMR must be electronically submitted to the Department by a facility authorized DMR Signatory not later than close of business on the **15th day of the month** following the completed reporting period. Hard copy documentation submitted in support of the eDMR must be postmarked on or before the **thirteenth (13th) day of the month or hand-delivered** to the Department's Regional Office such that it is received by the Department on or before the fifteenth (15th) day of the month following the completed reporting period. Electronic documentation in support of the eDMR must be submitted not later than close of business on the 15th day of the month following the completed reporting period.

SPECIAL CONDITIONS

I. NOTIFICATION REQUIREMENT

In accordance with Standard Condition D, the permittee must notify the Department of the following:

1. Any introduction of pollutants into the wastewater collection and treatment system from an indirect discharger in a primary industrial category discharging process wastewater; and
2. Any substantial change in the volume or character of pollutants being introduced into the wastewater collection and treatment system by a source introducing pollutants to the system at the time of permit issuance. For the purposes of this section, notice regarding substantial change must include information on:

    a. the quality and quantity of wastewater introduced to the wastewater collection and treatment system; and

    b. any anticipated impact caused by the change in the quantity or quality of the wastewater to be discharged from the treatment system.

J. REOPENING OF PERMIT FOR MODIFICATIONS

In accordance with 38 M.R.S.A. § 414-A(5) and upon evaluation of the tests results or monitoring requirements specified in Special Conditions of this permitting action, new site specific information, or any other pertinent test results or information obtained during the term of this permit, the Department may, at any time and with notice to the permittee, modify this permit to: 1) include effluent limits necessary to control specific pollutants or whole effluent toxicity where there is a reasonable potential that the effluent may cause water quality criteria to be exceeded, (2) require additional monitoring if results on file are inconclusive; or (3) change monitoring requirements or limitations based on new information.

K. SEVERABILITY

In the event that any provision(s), or part thereof, of this permit is declared to be unlawful by a reviewing court, the remainder of the permit will remain in full force and effect, and will be construed and enforced in all respects as if such unlawful provision, or part thereof, had been omitted, unless otherwise ordered by the court.

MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT
AND
MAINE WASTE DISCHARGE LICENSE

PROPOSED DRAFT
FACT SHEET

DATE: **FEBRUARY 16, 2015**

PERMIT NUMBER: #**ME0002208**

WASTE DISCHARGE LICENSE: #**W002564-5S-G-R**

NAME AND ADDRESS OF APPLICANT:
SPRAGUE OPERATING RESOURCES LLC.
TWO INTERNATIONAL DRIVE, SUITE 200
PORTSMOUTH N.H. 03801-6809

NAME AND ADDRESS WHERE DISCHARGE(S) OCCUR(S):

TRUNDY ROAD
MACK POINT
SEARSPORT, MAINE 04974

COUNTY: **WALDO**

RECEIVING WATER CLASSIFICATION: **Tidewater of Searsport, Class SB & SC**

COGNIZANT OFFICIAL CONTACT INFORMATION:
Jason Littlefield
(603) 430-7205
EMAIL: littlefield@spragueenergy.com

1. APPLICATION SUMMARY

Application: On April 2, 2014, the Department of Environmental Protection (Department) accepted as complete for processing from SPRAGUE OPERATING RESOURCES LLC. (permittee) a renewal application for Waste Discharge License (WDL) #W002564-5S-E-R Maine Pollutant Discharge Elimination System (MEPDES) Permit #ME0002208 which was issued on September 29, 2009 for a five-year term. The September 29, 2009 permit authorized the permittee to discharge treated stormwater runoff up to a rate of 350 gallons per minute(gpm) Outfall #001 and 1,500 gpm (Outfall #003) and up to a daily maximum of 6.1 million gallons of hydrostatic test waters via Outfall #002 and up to 5.0 million gallons of hydrostatic test waters via Outfall #004 and storm water runoff from Outfalls #005 - #008 from a bulk fuel storage and transfer facility to the tidewaters of Searsport, Class SB and SC, Maine.

2. PERMIT SUMMARY

a. Terms and Conditions: This permitting action is carrying forward all the terms and conditions of the previous permitting action, to include amendments made in the 11/12/13 Minor Revision.

b. History: The most current relevant regulatory actions and or significant events include the following:

February 22, 2000 – The Department issued WDL #W002564-5S-B-R renewal for a five-year term.

October 30, 2003 – Sprague submitted an application to the Department to modify and renew the WDL for the Searsport facility. The primary purpose of the modification was to issue a combination MEPDES permit/WDL for the discharge(s) from the facility and retire the NPDES permit issued by the EPA.

April 14, 2004 – The Department issued combination MEPDES permit #ME0002208/WDL W002564-5S-C-R for a five-year term.

December 13, 2006 – The Department issued a combination MEPDES permit modification #ME0002208/WDL W002564-5S-D-M to incorporate two additional outfalls from the then newly acquired tank farm from the DFSC.

April 8, 2009 – Sprague submitted a timely and complete application to the Department for renewal of the MEPDES permit

September 14, 2009- The Department issued combination MEPDES permit #ME0002208/WDL W002564-5S-E-R for a five year term.

November 12, 2013- The department issued a combination MEPDES permit modification #ME0002208/WDL002564-5S-F-M to remove a benzene monitoring requirement from Outfall #001 and to acknowledge a name change to Sprague Operating Resources LLC.

April 29, 2014 – Sprague submitted a timely and complete application to the Department for renewal of the MEPDES permit.

c. Source Description: The permittee's facility is engaged in the transfer (ship to shore), storage and distribution of refined petroleum products. Historically these products included gasoline and distillate oils as well as numerous bulk materials such as coal, petroleum coke, road salt, aluminum hydrate and gypsum rock. At the time of this permitting action the Permittee has indicated that the facility will no longer handle or store coal and that the area formerly used to store bulk quantities of coal will instead be used to store recycled steel. Sprague's site has a number of above-ground storage tanks having a gross capacity of approximately 330,500 barrels (13,881,000 gallons) for gasoline and distillate oils. The former DFCS site has nine additional tanks that are used to store and distribute #2 fuel oil.

2. PERMIT SUMMARY (cont'd)

The largest tank on the former DFSC site is 5,100,000 gallons (5.1 EE6). In addition to tankage, there is an extensive above-ground and below-ground network of piping. There is a marine docking facility to transfer product from ships and or barges to the shore and a loading rack area where product from the storage tanks is transferred to tanker truckers to be distributed to local fuel oil dealers and gasoline stations for distribution to the general public.

Each of the storage tanks on both the existing and new sites are enclosed in an unlined area of earthen dikes or concrete walls. The diked areas are designed to contain the contents of the enclosed tanks plus an additional volume to contain any extinguishment chemicals or water and precipitation. The dikes are required by the Town of Searsport for safety to prevent product from spilling from one tank area to another or directly into a receiving waterbody, provide temporary containment in the event of a tank failure and isolate tanks in the event of a major fire in a tank. The remainder of the site consists of an office building, a warehouse complex and a truck loading rack area. Storm water from the bulk material storage areas are managed through wet detention ponds to address TSS in those areas.

If necessary, hydrostatic test water is used to test the tank integrity. The test water is from tanks which have been washed and cleaned in preparation for repair and then cleaned before testing. The permittee has indicated that hydrostatic testing of its largest tank would discharge approximately 6.1 million gallons.

In a letter dated July 30, 2001 to the Department, Sprague indicated that approximately 2,100 gallons per day of boiler blowdown is also being discharged via Outfall #001.

Sanitary waste waters generated by employees at the facility are disposed of in an on-site sub-surface waste water disposal system designed and constructed in accordance with the Maine State Plumbing Code.

d. Wastewater Treatment: Most of the storm water is captured and detained in the diked areas around the various tanks. These individual diked areas are either manually drained by gravity or pumped out and conveyed to an oil/water separator where it receives best practicable treatment prior to discharge. The valves serving the drain lines are always kept closed for safety and must be opened each time a diked area is drained. The 4/29/14 permit application indicates that the oil/water separator for Outfall #001 (Lower Tank Farm) is rated for 350 gallons per minute (gpm) and services approximately 12 acres. The separator for Outfall #003 (North Tank Farm) is rated for 1,500 gpm and services approximately 20 acres.

After passing through the oil/water separator for Outfall #001, treated runoff is piped to an open drainage channel on the north side of the Bangor & Aroostook railroad. The runoff is conveyed westerly along the railroad bed to a culvert under the railroad bed and discharged to the receiving waters. The culvert under the railroad bed is a corrugated metal pipe measuring 24 inches in diameter and outlets above the level of the water at mean low water.

2. PERMIT SUMMARY (cont'd)

After passing through the oil/water separator for Outfall #003, waste waters are discharged to the receiving waters via an 18-inch diameter pipe that is exposed at mean low water.

Hydrostatic test waters associated with the Lower Tank Farm are physically discharged through Outfall #001 but assigned an administrative outfall number of Outfall #002 for reporting test results. Hydrostatic test waters associated with the North Tank Farm are physically discharged through Outfall #003 but assigned an administrative outfall number of Outfall #004 for reporting test results. This permit does not require further treatment of the hydrostatic testing water unless dechlorination is required to protect water quality.

Untreated storm water for the area referred to as the Upper Yard area (3 acres) is discharged to the receiving waters via an open ditch designated as Outfall #005. Untreated storm water for the area referred to as the Lower Yard area (2.5 acres) is discharged to the receiving waters via an open ditch designated as Outfall #006. Untreated storm water for the area referred to as the Southeast Yard area (2.5 acres) is discharged to the receiving waters via a 6-inch diameter pipe designated as Outfall #007. Treated storm water for the area referred to as the coal pile area (5 acres) is discharged to the receiving water (after passing through a detention pond) via a 6-inch diameter outfall pipe, Outfall #008. The Permittee has indicated, in a letter dated January 8, 2015, that the facility will no longer handle coal. The Permittee plans to store recycled steel on the former coal storage pad.

See **Attachment B** of this Fact Sheet for a site schematic showing the location of the outfall pipes.

3. CONDITIONS OF PERMITS

Conditions of licenses, 38 M.R.S.A. § 414-A, requires that the effluent limitations prescribed for discharges, including, but not limited to, effluent toxicity, require application of best practicable treatment, be consistent with the U.S. Clean Water Act, and ensure that the receiving waters attain the State water quality standards as described in Maine's Surface Water Classification System. In addition, 38 M.R.S.A. § 420 and *Surface Waters Toxics Control Program*, 06-096 CMR 530 (effective March 21, 2012), require the regulation of toxic substances not to exceed levels set forth in *Surface Water Quality Criteria for Toxic Pollutants*, 06-096 CMR 584 (effective July 29, 2012), and that ensure safe levels for the discharge of toxic pollutants such that existing and designated uses of surface waters are maintained and protected.

4. RECEIVING WATER QUALITY STANDARDS

Maine law, 38 M.R.S.A., Article 4-A §469(6)(C) classifies the tidewaters of Searsport at the point of discharge from Outfall #001 and #002 as a Class SC waterway. Maine law, 38 M.R.S.A., Article 4-A, §465-A(3) describes the classification standards for Class SC waters. For Outfall #003 and #004, Maine law, 38 M.R.S.A., Article 4-A §469(6)(C) classifies the tidewaters of Searsport at the point of discharge from Outfall #003 and #004 as a Class SB waterway. Maine law, 38 M.R.S.A., Article 4-A, §465-B(2) describes the classification standards for Class SB waters.

5. RECEIVING WATER CONDITIONS

The State of Maine 2012 Integrated Water Quality Monitoring and Assessment Report, prepared by the Department pursuant to Sections 303(d) and 305(b) of the Federal Water Pollution Control Act, lists the tidewaters of Searsport at the point of discharge as, "Category 4-A: Estuarine and Marine Waters with Impaired Use, TMDL Completed." Current sampling of the 4.36 square mile area, designated Waterbody ID 722-24, indicated the presence of elevated fecal levels. The Department completed the TMDL in 2009 and it was approved by USEPA on September 28, 2009.

The report also lists the tidewaters of Searsport as "Category 5-D: Estuarine and Marine Waters Impaired by Legacy Pollutants." All estuarine and marine waters capable of supporting American lobster are listed in Category 5-D for shellfish consumption due to elevated levels of PCBs and other persistent, bioaccumulating substances in tomalley.

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Discharges from activities associated with bulk petroleum stations and terminal operations must satisfy best conventional technology (BCT) and best available technology (BAT) requirements and must comply with more stringent water quality standards if best conventional technology and best available technology requirements are not adequate. On September 25, 1992 USEPA promulgated through its General Permit for Storm Water Discharge Associated with Industrial Activity, that the minimum BAT/BCT requirements for storm water discharge associated with industrial activity is a Storm Water Pollution Protection Plan (SWPPP) [57FR, 44438]. In addition to a SWPPP, the Department is carrying forward numeric effluent limitations and or monitoring requirements forward from the previous MEPDES permit/WDL action for petroleum constituents to ensure the discharge(s) do not contribute to violations of the State's water quality standards.

This permit authorizes the discharge of treated stormwater and hydrostatic test wastewater and boiler blowdown waters with numeric effluent limitations which are within applicable water quality standards, and requires the continued implementation of a stormwater pollution prevention plan for additional protection of the environment. The effluent parameters for each waste stream are discussed in more detail below. The sections are arranged according to the effluent characteristic(s) being regulated:

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

a. Tank Farm Stormwater Runoff Only – Outfall #001, #003

1. Flow - Typically, the treatment technology for stormwater runoff employed by bulk storage petroleum terminals is an oil/water [O/W] separator. This device uses gravity to separate the lower-density oils from water, resulting in an oil phase above the oil/water interface and a heavier particulate (sludge) phase on the bottom of the O/W separator. It follows that the sizing of O/W separators is based on the following design parameters: water flow rate, density of oil to be separated, desired percentage removal of oil and the operating temperature range.

   The O/W separator daily maximum flow limits of 350 gpm for Outfall #001 and 1,500 gpm for Outfall #003 are based on the capacity rating information provided by the permittee. The O/W separator daily maximum flow limit and minimum monitoring frequency requirement of once every calendar quarter is being carried forward in this permitting action.

   The quarterly Discharge Monitoring Report (DMR) data for the period September 2009 to August 2014 indicates the facility has been in compliance with the flow limitation 100% of the time.

2. Total Suspended Solids (TSS) - Total suspended solids have been limited in this permit to minimize the potential carryover of petroleum fractions to the receiving water(s) by adsorption to particulate matter or suspended solids. Both heavy metals and polynuclear aromatic hydrocarbons (PAHs) readily adsorb to particulate matter.

   This permitting action is carrying forward the daily maximum TSS concentration limit of 100 mg/L based on an USEPA Region I's best professional judgment determination that the technology guidelines promulgated at 40 CFR Part 423—*Steam Electric Power Generating Point Source Category* for point source discharges of low-volume wastewater were appropriate to control the discharge of sediment particles and oils from bulk storage petroleum terminals in the region.

   This permitting action is carrying forward the twelve-month rolling averaging period requirement for compliance with the monthly average TSS concentration limit of 50 mg/L based on the Department's best professional judgment.

   As stated in footnote #3 of Special Condition A, *Effluent Limitations and Monitoring Requirements*, the 12-month rolling averaging period is based on the most recent twelve months with sampling data. Months where no discharge took place are excluded (i.e., do not figure in a zero) in the calculation.

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

A summary of the quarterly TSS data as reported on the DMRs submitted to the Department for the period September 2009 – August 2014 indicate the following:

Outfall #001
TSS (N =17)

Value	Limit (mg/L)	Range (mg/L)	Average (mg/L)
Daily Maximum	100	2.8– 98	30.9
Monthly Average	50	13-74	24.1

Outfall #003
TSS (N =17)

Value	Limit (mg/L)	Range (mg/L)	Average (mg/L)
Daily Maximum	100	2.6 - 84	10.1
Monthly Average	50	3.8 - 33	13.9

3. **Oil and Grease (O&G)** – This permitting action is carrying forward the daily maximum oil and grease concentration limit of 15 mg/L based on Department BPJ as facilities equipped with properly designed, operated and maintained oil/water separator systems are capable of reducing oil content to 15 mg/L or less.

   A summary of the quarterly O&G data as reported on the DMRs submitted to the Department for the period September 2009 – August 2014 indicate the following:

Outfall #001
Oil and Grease

Value	Limit (mg/L)	Range (mg/L)	Average (mg/L)
Daily Maximum (n=17)	15	1 – 2. 8	0.48

Outfall #003
Oil and Grease

Value	Limit (mg/L)	Range (mg/L)	Average (mg/L)
Daily Maximum (n=17)	15	1 – 1.3	0.18

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

4. Benzene - Three gasoline compounds with the highest solubility are: naphthalene, propylene, and benzene. Propylene and naphthalene, however, are minor constituents of gasoline. In the past, benzene has been selected as the main pollutant of concern in light distillates such as gasoline since it existed in light distillates at significant concentrations.

   A traditional approach to limiting effluents contaminated with gasoline or other light distillates has been to limit the aggregate parameter of: benzene, ethy lbenzene, toluene, and total xylenes (BETX). This approach stems from the petroleum industry's practice of determining the quality of fuels by measuring BETX, which can be highly variable among gasoline products. Of the four aromatics, benzene is by far the most soluble in water. Because of its relatively high solubility in water, benzene can be considered the "limiting pollutant parameter."

   The 11/12/2013 Minor Revision removed the monitoring requirement for benzene from Outfall #001, previously established in the September 14, 2009 permitting action, by request of the permittee due to the fact that they no longer stored bulk gasoline nor do they intend to store bulk gasoline in the future.

   As of this permitting action the facility does not store bulk gasoline. Therefore, no monitoring requirement for benzene is being established.

   Per Standard Condition D, the permittee is required to notify the Department of the following:

   1. Any introduction of pollutants into the wastewater collection and treatment system from an indirect discharger in a primary industrial category discharging process wastewater; and

   2. Any substantial change in the volume or character of pollutants being introduced into the wastewater collection and treatment system by a source introducing pollutants to the system at the time of permit issuance. For the purposes of this section, notice regarding substantial change must include information on:

      a. the quality and quantity of wastewater introduced to the wastewater collection and treatment system; and

      b. any anticipated impact caused by the change in the quantity or quality of the wastewater to be discharged from the treatment system.

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

5. pH – During the 4/14/04 permitting action, the National Marine Fisheries Services (NMFS) recommended that the Department establish a pH range limitation due to migratory habits (April-November) of the Atlantic salmon in the Penobscot River. Under adverse pH conditions, Atlantic salmon experience reduced feeding and growth, altered behavior, gill damage and endocrine and osmoregulatory disruption. The Department established a seasonal (April – November) pH range limitation of 6.0 –9.0 for Outfall #001 and Outfall #003 for the protection of Atlantic salmon during the migratory season. The limitations are being carried forward in this permitting action.

   The quarterly DMR data for the period September 2009 to August 2014 indicates the facility has been in compliance with the limitations 100% of the time and reported pH values as follows:

   Outfall #001
   pH

Value	Limit (su)	Range (su)
Daily Maximum	6.0 – 9.0	6.80 – 7.31

   Outfall #003
   pH

Value	Limit (su)	Range (su)
Daily Maximum	6.0 – 9.0	6.60 – 7.30

b. Hydrostatic Test Wastewater - Outfall #002 and #004

The permittee has indicated that hydrostatic testing of pipelines and tanks with water is no longer the normal practice at the Searsport facility. Pipelines are tested utilizing fuel product and tanks are tested via X-rays, eliminating the need for discharging hydrostatic test waters. However, the permittee would like to retain the option to do so. The DMR data for the period January 2006 to December 2008 indicates the facility has not discharged hydrostatic test waters from either outfall during said period. The previous permitting actions and this permitting action established limitations and monitoring requirements as follows:

1. Flow – The previous permitting actions established and maintained a flow limitation of 6,100,000 gallons for Outfall #002 as this was the volume of the largest tank on the Lower Tank Farm that is being carried forward in this permitting action. The previous permit modification established a daily maximum flow limitation of 5,100,000 gallons for the largest tank on the North Tank Farm that is also being carried forward in this permit.

6. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont'd)

2. Total Suspended Solids (TSS) – The previous permitting actions established daily maximum limits of 50 mg/L for Outfall #002 and #004 based on a Department BPJ of limits that are achievable given the tanks that are hydrostatically tested have been washed and cleaned in preparation for repair and testing. The limitations are being carried forward in this permitting action.

3. Oil & Grease – The previous permitting action establish daily maximum concentration limits of 15 mg/L for Outfall #002 and #004 based on a Department BPJ of limits that are achievable given the tanks that are hydrostatically tested have been washed and cleaned in preparation for repair and testing. The limitations are being carried forward in this permitting action..

4. Total residual chlorine (TRC) – The previous permitting action established a daily maximum TRC limit of 13 ug/L (0.013mg/L) for Outfalls #002 and #004. The limitations are based on EPA's acute criteria maximum concentration (CMC) of 13 ug/L (0.013 mg/L) for marine waters. The limitations do not take into consideration dilution in the receiving water due to the fact that the outfall pipes for Outfalls #002 and #004 do not have a diffuser and are above the high and low water marks. A chronic limit is not specified because the discharge is not a continuous discharge.

   Compliance with the daily maximum limitations will be based on EPA's minimum level (ML) of detection of 50 ug/L (0.05 mg/L). All analytical test results shall be reported to the Department including results which are detected below the ML of 0.05 mg/L.

5. pH – For the same reason cited in Section 7(a)(5) of this Fact Sheet, the Department established a limitation of 6.0 –9.0 standard units for the discharge of hydrostatic test waters for Outfalls #002 and #004. The limitations are being carried forward in this permitting action.

c. Yard area storm water runoff (Outfalls #005, #006 & #007)

   This permitting action does not establish numeric limitations or monitoring requirements for these outfalls but the permittee is required to maintain a current Storm Water Pollution Prevention Plan (SWPPP) to minimize pollutants discharged from these three outfalls.

d. Recycled Steel storm water runoff (Outfall #008)

   Limitations and monitoring requirements established for this outfall are flow, TSS and pH based on a Department best professional judgment of pollutants of concern for this discharge. Limitations and monitoring requirements established for each parameter and the basis for each are consistent with the limits and monitoring requirements for the other outfalls regulated by this permit.

7. DISCHARGE IMPACT ON RECEIVING WATER QUALITY

As permitted, the Department has determined the existing water uses will be maintained and protected and the discharge will not cause or contribute to the failure of the water body to meet standards for Class SC classification.

8. PUBLIC COMMENTS

Public notice of this application was made in the Bangor Daily News newspaper on or about March 7, 2014. The Department receives public comments on an application until the date a final agency action is taken on that application. Those persons receiving copies of draft permits must have at least 30 days in which to submit comments on the draft or to request a public hearing, pursuant to *Application Processing Procedures for Waste Discharge Licenses*, 06-096 CMR 522 (effective January 12, 2001).

9. DEPARTMENT CONTACTS

Additional information concerning this permitting action may be obtained from and written comments should be sent to:

Rod Robert
Division of Water Quality Management
Bureau of Land & Water Quality
Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017 Telephone: (207) 446-1875 Fax: (207) 287-3435
e-mail: rodney.robert@maine.gov

10. RESPONSE TO COMMENTS

Reserved until end of formal 30 day comment period.

ATTACHMENT A

Standard Operating Procedure
Bureau of Land and Water Quality
Date: April 20, 2006
Revised: February 3, 2012
Doc num: DEPLW0768

Bureau of Land and Water Quality
Division of Watershed Management
Industrial Stormwater Program

Standard Operating Procedures and Visual Monitoring Guidelines
for Stormwater Discharges Associated With Industrial Activities.

1. **APPLICABILITY.** This Standard Operating Procedure (SOP) applies to all industrial facilities covered under Maine's Multi-Sector General Permit (MSGP) for Stormwater Discharges Associated with Industrial Activity. Permitted facilities are required to perform quarterly visual monitoring of their stormwater discharges and record and maintain the results in the facility's Stormwater Pollution Prevention Plans (SWPPP).

   Visual monitoring is not required if a facility is participating in a Department Approved Watershed Management Plan or if the facility is conducting Benchmark, Impaired Waters sampling and analysis, or Numeric monitoring for Total Suspended Solids (TSS). Visual monitoring must be resumed if Benchmark monitoring, Numeric monitoring, or Impaired Waters sampling is terminated.

2. **PURPOSE.** This document provides guidelines for standardized collection and visual examination of quarterly visual monitoring samples for indicators of stormwater pollution as defined in Part VI of the MSGP and to provide guidelines describing standardized methods of data recording and record keeping of all quarterly visual stormwater discharge monitoring data as described in Part VI of the MSGP.

3. **DEFINITIONS.**

   3.1. MULTI-SECTOR GENERAL PERMIT (MSGP). A general permit for Stormwater Discharges Associated with Industrial Activity. Authorizes the direct discharge or point source discharge of stormwater associated with industrial activity to waters of the State (other than groundwater) or to an MS4 (which discharges to waters of the State), provided the discharge meets the requirements stated in this permit. This permit is effective April 26, 2011 and expires April 25, 2016. It replaces Maine's 2005 MSGP for Industrial Activity issued October 11, 2005.

   3.2. SWPPP. Stormwater Pollution Prevention Plan. A written plan developed and implemented by each permitted facility to reduce or eliminate pollutants which come in contact with stormwater associated with industrial activity. This plan outlines sources of potential stormwater pollutants and the methods by which these pollutants will be reduced or prevented from entering waters of the State.

   3.3. GRAB SAMPLE. A single sample or collection of stormwater taken during a qualifying storm event from a single stormwater outfall. The sample may be collected manually or with an automatic sampler.

3.4. OUTFALL. The point at which any direct discharge of stormwater from an area of industrial activity enters waters of the state, an MS4, or leaves the property. Examples include discharges from ditches, swales, catch basins, culverts or pipes, rills, boat ramps, or treatment systems such as detention ponds where the discharge is a shallow concentrated flow of stormwater that leaves the property or enters waters of the State.

3.5. QUALIFYING STORM EVENT. A storm event that is either precipitation, ice or snow melt that produces a measureable discharge at an outfall that occurs at least 72 hours from a previous measureable storm event.

4. RESPONSIBILITIES.

4.1. MONITORING PROGRAM IMPLEMENTATION. The visual monitoring schedule listed below in this section is also outlined Maine's 2011 MSGP Part VI(H). Visual examinations must be clearly documented and maintained in the facility's SWPPP. The permittee shall perform and document a quarterly visual examination of industrial stormwater discharges from each outfall which discharges stormwater associated with industrial activity from the facility.

4.2. OUTFALL IDENTIFICATION. The permittee shall identify each industrial stormwater outfall at the facility. All outfalls must be clearly identified on the facility site map which is part of the facility's SWPPP and presented in the written text of the SWPPP.

4.3. REPRESENTATIVE OUTFALLS. "Representative outfalls" mean two or more outfalls with a single drainage area that discharge substantially identical effluents, have like industrial activities and significant materials, or practices occurring within the outfalls' designated drainage area. If the facility contains representative outfalls, visual monitoring may be conducted at one of the outfalls during a given monitoring period provided that subsequent samples are taken from a different outfall within the representative outfalls' drainage area. The facility is not required to monitor more than one representative outfall within a designated drainage area per monitoring event as long as the site's SWPPP contains the required information as identified in Part VI (I) of the MSGP.

4.4. EMPLOYEE TRAINING. The permittee shall ensure that all facility personnel involved in stormwater sampling are properly trained. Staff involved in sampling shall:

a. Be familiar with the site map and outfall locations
b. Walk the site to physically identify each sampling location
c. Become familiar with local rainfall and drainage patterns
d. Become competent with proper sample collection procedures

Personnel involved in sampling should also be trained in all facility safety procedures as they apply to stormwater sampling. If possible, the same individual should carry out the

collection and examination of discharges for the entire permit term. Written documentation signed by the SWPPP team leader certifying that all personnel involved in sampling have been properly trained should be documented in the SWPPP.

4.5. SAMPLE COLLECTION FREQUENCY. Visual examination of industrial stormwater discharges must be performed once per monitoring quarter. If a qualifying storm event does not occur at the facility for a particular monitoring quarter, the permittee is excused from visual monitoring for that quarter, provided the permittee documents in the monitoring records that no qualifying event occurred. The Visual Monitoring Form shall be used to document both qualifying and non-qualifying storm events. Schedule of monitoring quarters is listed below.

- First: January 1 – March 31
- Second: April 1 – June 30
- Third: July 1 – September 30
- Fourth: October 1 – December 31

All other time specific sampling requirements are to be performed in accordance with the parameters outlined in the procedures section of this document.

4.6. RECORD KEEPING AND REPORTING. The permittee shall maintain all visual monitoring reports/records onsite with the SWPPP. The permittee is not required to submit visual monitoring results to DEP unless specifically requested to do so, or if the facility is required to submit an annual report as described in Part III (D)(1) of the MSGP. Requirements for recording visual examination data are outlined in the procedures section of this document.

5. PROCEDURES

5.1. SAMPLE COLLECTION TIMING. A grab sample must be collected from each facility outfall (except representative outfalls) once per quarter during a qualifying storm event. During a qualifying storm event, a grab sample for visual examination should be collected during the first 60 minutes or as soon thereafter, but must not to exceed 2.25 hours of when runoff begins discharging from an outfall. During monitoring quarters when snow or icemelt represents the only stormwater discharge, a grab sample must also be collected during periods of significant snow or ice melt within the first 60 minutes or as soon thereafter, but not to exceed 2.25 hours of when snow or icemelt begins discharging from an outfall. Stormwater runoff from employee parking lots, administration buildings, and landscaped areas that is not mixed with stormwater associated with industrial activity, or stormwater discharges to municipal sanitary sewers does not need to be sampled.

5.2. SAMPLE CONTAINER CLEANING AND PREPARATION. The facility should have an adequate supply of containers prepared for collection of industrial stormwater samples

from each outfall prior to collecting samples for visual examination. All sample containers used for sampling for visual examination should be certified as clean and free of residue. After each use and for cleaning the Imhoff Settling Cone or graduated beaker. A bottle brush will aid in removing any fine sediment trapped in the bottom point of the Imhoff cone:

- Wash containers in a non-phosphate detergent and tap water wash.
- Thoroughly fill and rinse containers with tap water at least three (3) times.
- Store containers closed, and in an area free of dust and other potential sample contaminants.
- If additional containers are needed to collect samples from less accessible outfalls (e.g. buckets which are attached to poles for reaching outfalls), these containers should also be cleaned and prepared as indicated above.

5.3. SAMPLE EXAMINATION. Samples should be examined in clear glass or clear plastic container prepared and cleaned as indicated above, so that all visual monitoring criteria can be observed.

MANUAL GRAB SAMPLE COLLECTION. Manual grab samples should be collected by inserting a container under or downstream of a discharge with the container opening facing upstream, and with the opening of the container completely immersed under water, whenever possible. A sample container at least 1000 ml should be used to collect the sample. The container must be able to be submersed so that the container opening is held under water while still collecting an adequate sample size to make a correct visual inspection. In most cases the sample container can be held in hand while the sample is collected. Less accessible outfalls may require the use of poles and buckets to collect grab samples. Take the grab from the horizontal and vertical center of the outfall. If sampling in a channel, (e.g., ditch, trench, rill) avoid stirring up bottom sediments. Avoid touching the inside of the container to prevent contamination. Transfer sample to a clear glass or plastic container if using another container such as a bucket to collect a sample from a less accessible location. If taking samples from multiple outfalls, label containers with outfall identification prior to taking samples. Make sure samples are securely capped until examination.

COLLECTION OF GRAB SAMPLES BY AUTOMATIC SAMPLER. Facilities which use automatic samplers for stormwater sampling may collect grab samples for visual examination by this method. Programming for collecting grab samples is specific to the type of automatic sampler. All facility personnel who collect stormwater samples using automatic samplers should be properly trained in operation of the sampler before doing so. Several different types of automatic samplers are available for stormwater sampling. However, the following guidelines should be followed when sampling regardless

of the type of sampler used. All equipment must be properly cleaned, particularly the tubing and sample containers. Deionized water should be drawn through the sampler to remove any residuals prior to taking samples. Tubing should also be periodically replaced to avoid algae or bacterial growth. Additionally, a distilled/deionized water blank sample should be taken at each outfall sampled to determine if contamination of stormwater samples by the sampling equipment has occurred. Samplers should be used in exact accordance with the manufacturers' instructions. All sampler calibration and maintenance data should be kept on site with the SWPPP.

5.4. SAMPLE EXAMINATION. Visual examination of all grab samples collected must be performed within the first sixty (60) minutes. Bring the collected samples to a well lit indoor area. Pour each sample into a separate 1 L polycarbonate plastic graduated Imhoff settling cone or 1000 ml graduated cylinder. The Imhoff settling cone or beaker should have graduations that allow volume measurement to the nearest milliliter. Record the total sample volume to the nearest milliliter on the visual monitoring form. Examine the samples for the following criteria according to the instructions provided with the visual monitoring form: Foam, odor, clarity, floating solids, suspended solids, color, oil sheen, settled solids, and any other obvious indicators of stormwater pollution. Read the settled solids 1 hour after pouring the sample into the cone, as this assures that all solids are settled out of the water. Settled solids in the bottom of the cone should be measured to the nearest milliliter.

*Note: Clear polycarbonate plastic Imhoff cones are available from several scientific supply companies. You may also purchase 1000 ml graduated beakers from various scientific supply companies.

5.5. SAMPLE DATA RECORDING. Record all sample data on the visual monitoring form after examining the sample for all of the criteria listed in the instructions. The form should include the examination date and time, examination personnel, the nature of the discharge (e.g., rain, snow or icemelt), identification of outfall sampled, quality of the stormwater discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and any other obvious indicators of stormwater pollution), and probable sources of any observed contamination. The permittee must sign and certify the documentation in accordance with Part VIII (E) of the Maine MSGP. All visual examination reports must be maintained with the facility SWPPP.

5.6. RECOMMENDATIONS FOR SOLVING SAMPLE LOCATION PROBLEMS. Consult guidelines listed below when it is necessary to sample an outfall located at a less than ideal location for sampling.

- PROBLEM: Sampling where stormwater comingles with process water or other non-stormwater discharge.

RECOMMENDATION: Attempt to sample the stormwater discharge before it mixes with the non-stormwater discharge. If this is impossible, sample the discharge and maintain a record of the visual examination data observed under both conditions on site with the SWPPP. This will provide an indication of the contribution of any observable contamination from each source.

- PROBLEM: Numerous small point channels make up an outfall from which it is difficult to collect a sample.

  RECOMMENDATION: Impound channels or join their flow together by building a weir or digging a ditch to collect discharge at a low point for sampling. This artificial collection point should be lined with plastic or filter fabric and stone to prevent infiltration and/or high levels of sediment.

- PROBLEM: Inaccessible discharge point. Examples include underwater discharges or unreachable discharges (e.g., out of a cliff, steep slope or bank of a stream).

  RECOMMENDATION: Go up the pipe to sample (e.g., to the nearest manhole or inspection point). If these are not available, tap into the pipe, or sample at several locations upstream of the pipe if the pipe is the only outfall for the facility.

- PROBLEM: Managing multiple sampling sites to collect grab samples during the first 60 minutes of a measurable storm event.

  RECOMMENDATION: Have a sampling crew ready to help when forecasts indicate that a measurable storm event is likely to occur. If this is not possible, sample the missed outfall locations during other measurable storm events and record this circumstance in the SWPPP.

- PROBLEM: Commingling of parking lot runoff with discharge associated with industrial activity.

  RECOMMENDATION: The combined runoff must be sampled at the discharge point as near as possible to the industrial activity or at the parking lot drain inlet if there is one.

- PROBLEM: Sampling in manholes.

  RECOMMENDATION: Sample with a collection device on the end of a pole to reach stormwater. Personnel sampling in manholes should have confined space safety training and ambient air monitoring sampling devices if manholes have to be entered.

- PROBLEM: Run-on from other property.

RECOMMENDATION: If possible, collect and examine a sample of the stormwater at the border of the property where the run-on occurs. Then, collect and examine a sample of the stormwater at a facility outfall downstream of the run-on point. Note any observable differences between the samples and maintain the documentation with the SWPPP.

- When confronted with other difficult sampling scenarios not addressed above, the permittee should consult DEP for guidance on how to best address the situation.

6. REFERENCES

6.1. GUIDANCE MANUAL FOR THE MONITORING AND REPORTING REQUIREMENTS OF THE NPDES MULTI-SECTOR STORM WATER GENERAL PERMIT
United States Environmental Protection Agency, Office of Water (EN-336), EPA 833-B-99-001(January, 1999)

6.2. NPDES STORM WATER SAMPLING GUIDANCE DOCUMENT
United States Environmental Protection Agency, Office of Water (EN-336), EPA 833-8-92-001 (July, 1992)

6.3. STATE OF MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION MULTI-SECTOR GENERAL PERMIT MAINE POLLUTANT DISCHARGE ELIMINATION SYSTEM STORMWATER DISCHARGE ASSOCIATED WITH INDUSTRIAL ACTIVITY
Maine Department of Environmental Protection, Bureau of Land and Water Quality, Waste Discharge License # W-008227-5Y-B-R (April 25, 2011)

Standard Operating Procedure
Bureau of Land and Water Quality
Attachment B
Date: April 20, 2006
Revised: February 1, 2012
Doc Number: DEPLW0768

Visual Monitoring Form

Facility Name:_____ Sampler's Name:_____
Facility Address:_____ MSGP Permit Number:_____
_____
_____ 72 Hours Since last Measurable Storm? ☐ Yes ☐ No

Measurable Discharge from outfall? ☐ Yes ☐ No

Outfall Number						
Observation Time						
Est. Time from Onset of Runoff						
Discharge Type (rain, snow melt or ice melt)						
Sample Volume (ml)						
Color						
Odor						
Clarity						
Floating Solids*						
Settled Solid*						
Suspended Solid*						
Foam						
Oil Sheen						
Possible Source of Any Observed Contamination						

*Enter a description of corresponding criteria for each outfall in the General Comments section of this document.

Under penalty of law I certify that these statements are true and correct pursuant to the terms and conditions stated in the MPDES Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity.

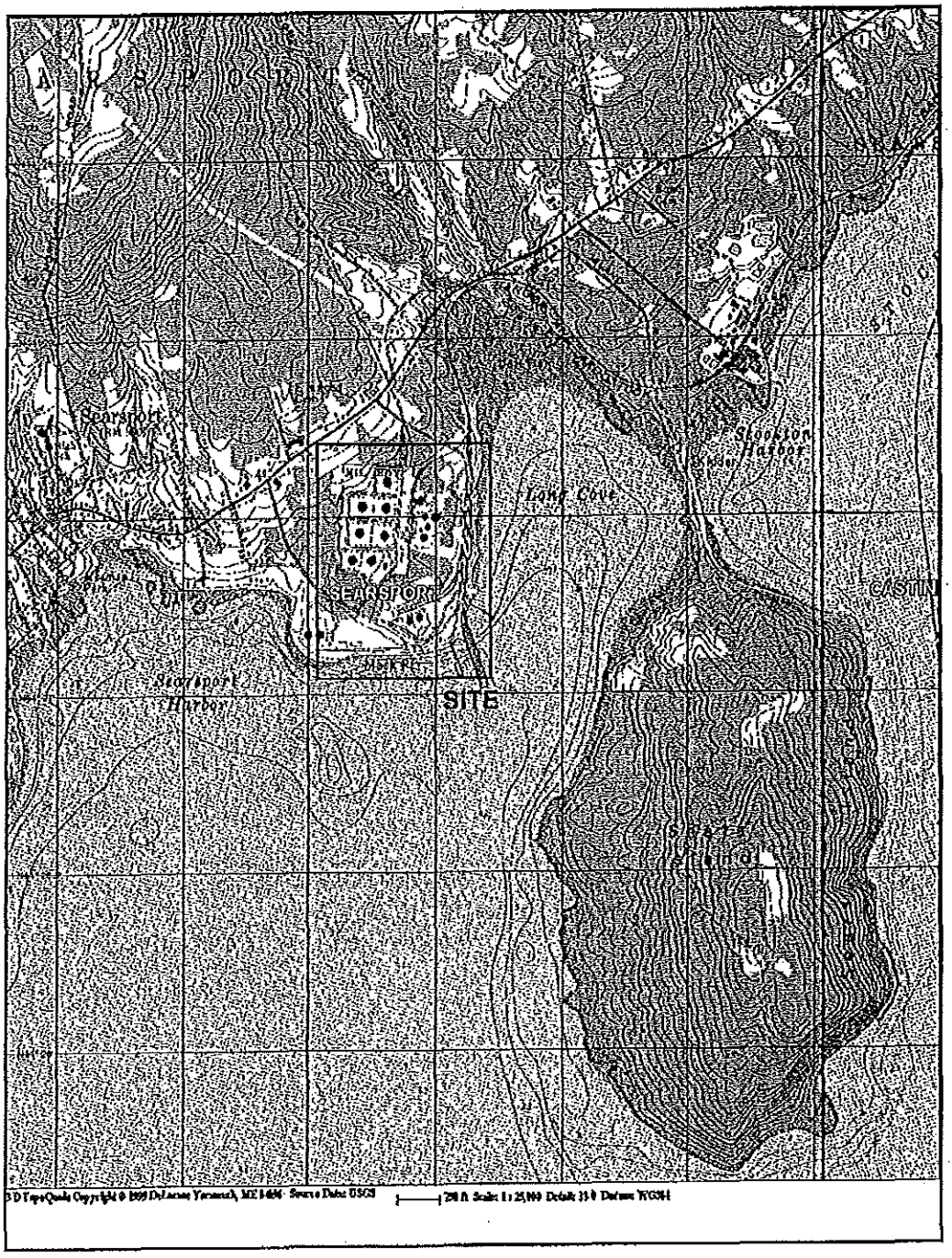
Sample's Signature:_____ Date:_____

General Comments

In the comments section, enter physical description of floating, settled, and suspended solids for each outfall sampled. Enter general comments on the condition and appearance of each outfall in the comments section also as indicated in the instructions.	
Outfall 1	Comments:
Outfall 2	Comments:
Outfall 3	Comments:
Outfall 4	Comments:
Outfall 5	Comments:
Outfall 6	Comments:

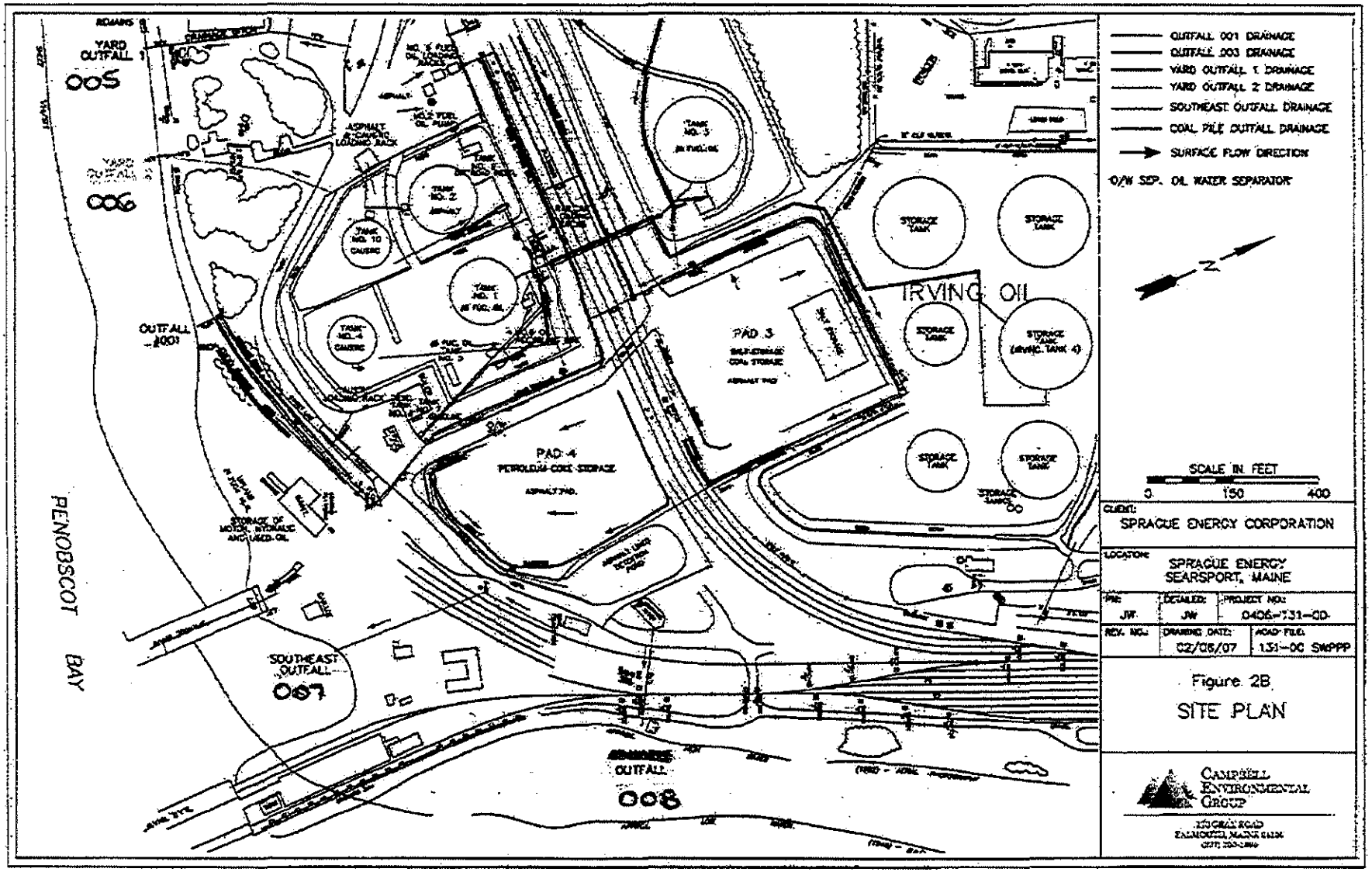
ATTACHMENT A

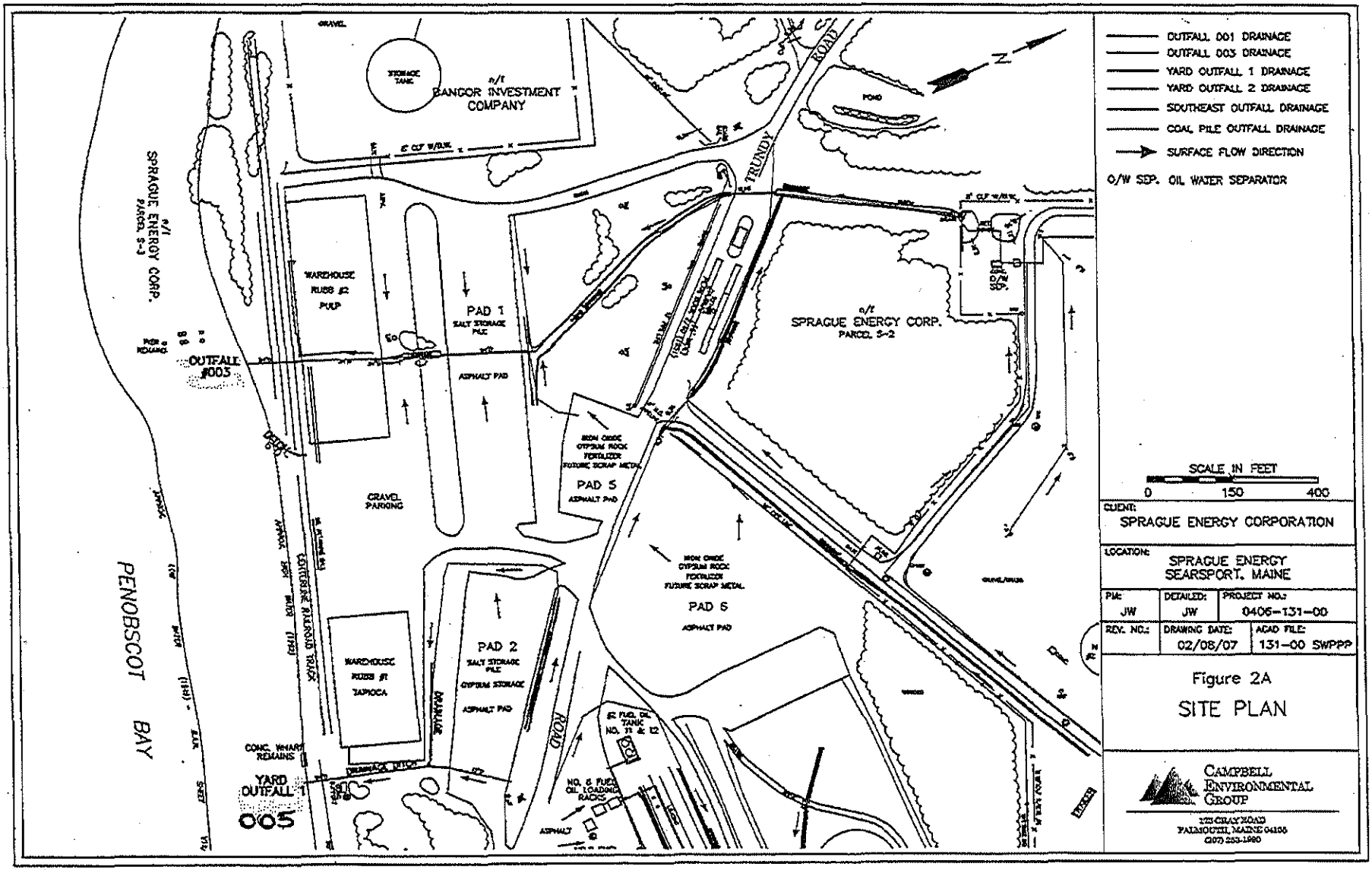
FIGURE 1
Sprague Mack Point Terminal
Searsport, Maine

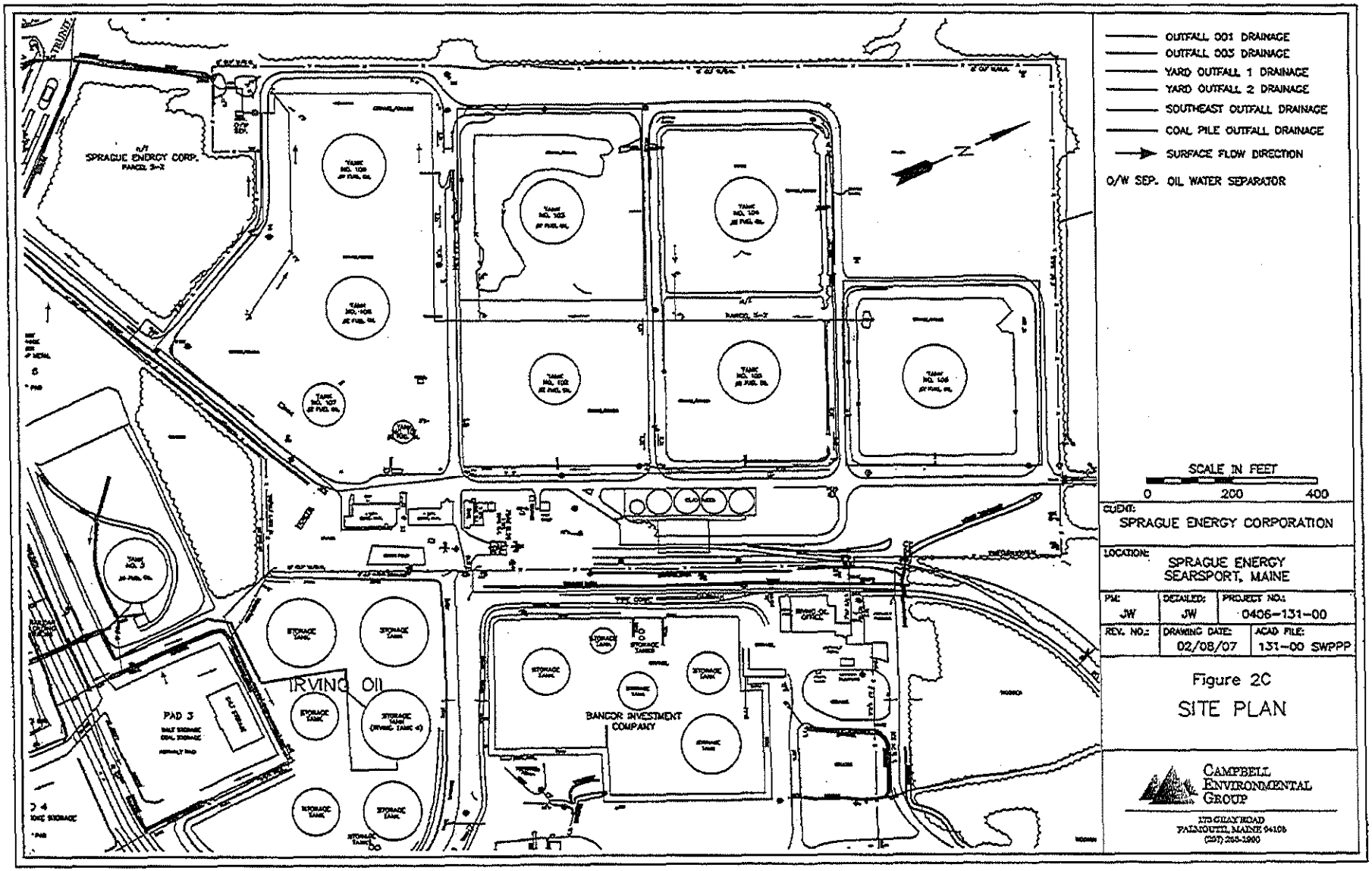


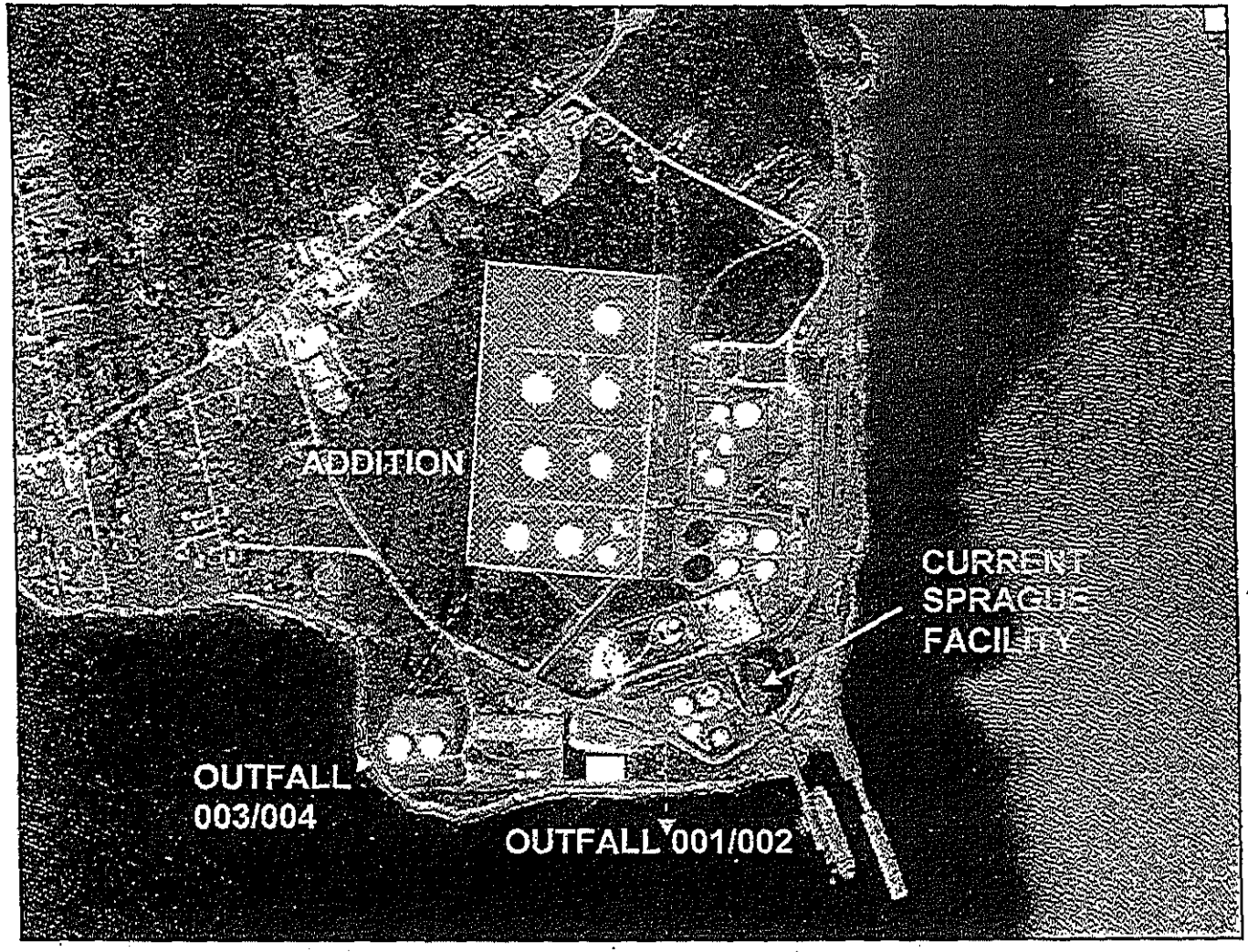
ATTACHMENT B

Searsport Site Diagram




OUTFALL 001 DRAINAGE
OUTFALL 003 DRAINAGE
YARD OUTFALL 1 DRAINAGE
YARD OUTFALL 2 DRAINAGE
SOUTHEAST OUTFALL DRAINAGE
COAL PILE OUTFALL DRAINAGE
SURFACE FLOW DIRECTION
O/W SEP. OIL WATER SEPARATOR
N
TRUNDY ROAD
n/f BANGOR INVESTMENT COMPANY
n/f SPRAGUE ENERGY CORP. PARCEL S-3
n/f SPRAGUE ENERGY CORP. PARCEL S-2
WAREHOUSE RUSS #2 PULP
PAD 1 SALT STORAGE PILE
ASPHALT PAD
OUTFALL #003
IRON OXIDE GYPSUM ROCK FERTILIZER FUTURE SCRAP METAL
PAD 5
ASPHALT PAD
GRAVEL PARKING
PAD 6
ASPHALT PAD
WAREHOUSE RUSS #1 TAPIOCA
PAD 2 SALT STORAGE PILE
GYPSUM STORAGE
ASPHALT PAD
ROAD
CONC. WHARF REMAINS
YARD OUTFALL 1
005
PENOBSCOT BAY
SCALE IN FEET
0 150 400
CLIENT: SPRAGUE ENERGY CORPORATION
LOCATION: SPRAGUE ENERGY SEARSPORT, MAINE
PM: JW
DETAILED: JW
PROJECT NO.: 0406-131-00
REV. NO.:
DRAWING DATE: 02/08/07
ACAD FILE: 131-00 SWPPP
Figure 2A
SITE PLAN
CAMPBELL ENVIRONMENTAL GROUP
175 GRAY ROAD
FALMOUTH, MAINE 04105
(207) 253-1980


OUTFALL 001 DRAINAGE
OUTFALL 003 DRAINAGE
YARD OUTFALL 1 DRAINAGE
YARD OUTFALL 2 DRAINAGE
SOUTHEAST OUTFALL DRAINAGE
COAL PILE OUTFALL DRAINAGE
SURFACE FLOW DIRECTION
O/W SEP. OIL WATER SEPARATOR
N
SPRAGUE ENERGY CORP.
IRVING OIL
BANGOR INVESTMENT COMPANY
PAD 3
SCALE IN FEET
0
200
400
CLIENT:
SPRAGUE ENERGY CORPORATION
LOCATION:
SPRAGUE ENERGY
SEARSPORT, MAINE
PM:
JW
DETAILED:
JW
PROJECT NO.:
0406-131-00
REV. NO.:
DRAWING DATE:
02/08/07
ACAD FILE:
131-00 SWPPP
Figure 2C
SITE PLAN
CAMPBELL ENVIRONMENTAL GROUP
178 GRAY ROAD
FALMOUTH, MAINE 04105
(207) 253-1900


ADDITION
CURRENT
SPRAGUE
FACILITY
OUTFALL
003/004
OUTFALL 001/002